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Writ Petition No.29021 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.29021 of 2024

Umayavalli

W/o.Muthu alias Sowrimuthu

... Petitioner

Vs.

1.The Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai - 600 005.

2.The District Collector,
Chengalpattu, Chengalpattu District.

3.Ganesan

4.Balaji

5.Aruvudai Nambi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 10.07.2023 based on the proceedings of the first respondent dated 22.11.2023 within a time frame.

For Petitioner : Mr.M.Aloysius Raja Pragash

For Respondents : Mr.P.Anandakumar,
Government Advocate [R1 & R2]



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to consider the representation made by the petitioner on 10.07.2023 wherein the petitioner has sought for taking action against respondents 3 to 5.

2. Heard Mr.M.Aloysius Raja Pragash, learned counsel for petitioner and Mr.P.Anandakumar, learned Government Advocate appearing for respondents 1 and 2.

3. The case of the petitioner is that the petitioner is the owner of the subject property in Survey No.122/11 measuring an extent of 47 cents. The petitioner executed a settlement deed in favour of his children, which was registered as document No.9553 of 2018. Patta was also issued by the Tahsildar for Patta No.3610 in the year 2018. The grievance of the petitioner is that respondents 3 to 5, without issuing notice, had proceeded to cancel the patta issued in favour of the petitioner and the patta has been transferred in favour of some other person.



4. The petitioner made a complaint/representation in this regard to respondents 1 and 2. The first respondent, through communication dated 22.11.2023, directed the second respondent to conduct an enquiry and to submit a report before the first respondent. Even thereafter, the petitioner made representation to respondents 1 and 2. Since the same did not evoke any response, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and without going into the merits of the case and also considering the communication made by the first respondent to the second respondent on 22.11.2023, there shall be a direction to the second respondent to deal with the representation made by the petitioner on 10.07.2023 after affording opportunity and calling for explanation from respondents 3 to 5 and final orders shall be passed within a period of six (6) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the second respondent along with all relevant documents and also a copy of this order.



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N.ANAND VENKATESH, J

gm

This writ petition is disposed of with the above direction. No costs.

01.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

1.The Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai - 600 005.

2.The District Collector,
Chengalpattu, Chengalpattu District.

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